

THE NOTES BELOW REPRESENT
NOTES AFTER THE SECOND CHECK
HAS BEEN COMPLETED.

**LATE-FILED SUPPLEMENTS WILL LIKELY
RESULT IN THE CONTINUANCE OF YOUR CASE.**

San Bernardino Superior Court

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

PROBATE

DATE: 10/14/05

TIME: 8:30

DEPT: S4

CASE #: SPASS4936

PAGES #A AND 44A ARE SAME CASE – SEE PAGE #A FOR ALL NOTES

CASE NAME: ESTATE OF ERNEST MCGOVERN

HEARING:

Hearing re: STATUS REPORT

COUNSEL:

PUBLIC ADMINISTRATOR (PET)...GRESHAM SAVAGE NOLAN & TILDEN

ERNEST MCGOVERN (DEC)...

GENERAL INFORMATION:

This case is set for hearing re status report and re final discharge.

Hearing re final discharge continued from 6/10/05. No appearance. Nothing new filed.

Hearing re final discharge continued from 8/19/05 at request of counsel, nothing new filed.

Hearing re final discharge last continued from 9/30/05. No appearance. Clerk mailed notice of continuance.

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1. Order settling first and final accounting and for discharge signed by court 4/9/04.
2. No receipts or final discharge order submitted. Clerk gave notice.
3. PA now files report of administration stating that it completed mailing checks and receipts to heirs on 9/20/05 and requests continuance of hearing to 12/20/05 to obtain returned receipts.

RECOMMENDATION:

Inquire re status. Continue administration to 12/20/05.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN PROBATE

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS04107

PAGE 1 AND 1A ARE THE SAME CASE – SEE BOTH NOTES

CASE NAME: EST OF URICIO V MAGNO

HEARING:

FIRST AND FINAL Account and Report of WALTER T MOORE and
Petition for allowance of fees filed.

COUNSEL:

WILFREDO E MAGNO (PET)...JAMES B CHURCH
URICIO V MAGNO (DEC)...
WALTER T MOORE (SA)...HARTNELL HORSPOOL & FOX

GENERAL INFORMATION: This matter set for hearing on First and Final Account and
Petition for Fees by special administrator.

Continued from 4/1/05. Nothing new filed.

Continued from 6/17/05, counsel to attempt to resolve issues.

**Last continued from 8/12/05. Attorney Moore advises court probably global
settlement. However, nothing new filed.**

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Summary of account does not balance. Please file supplemental.
2. Petitioner requests reserve in amount of \$5,000 for taxes and other unforeseen contingencies.
3. Petitioner seeks statutory fees in amount of \$6,717.85.
4. Petitioner seeks extra-ordinary fees in amount of \$7,555 for 33.4 hours dealing with the protection, unlawful detainer and sale of real property. Amount itemized. It is noted that many activities itemized as extra-ordinary fees, appear to be ordinary services. For example:

| | | |
|-----------|--|-----|
| 7/25/03: | Review probate purchase agreement | .7 |
| 8/18/03: | Review probate purchase agreement, draft notice of proposed action | 1.4 |
| 9/15/03: | Review consent to notice of proposed action | .1 |
| 9/19/03: | File docs with court, review consent | .1 |
| 9/26/03: | Review file/staff memo | .3 |
| 11/4/03: | Draft ex parte petition etc against Wilfredo Magno | 1.8 |
| 11/7/03: | File docs with court. Prepare for ex-parte hearing | .4 |
| 11/10/03: | Court appearance on ex-parte | 1.8 |
| 11/11/03: | Telephone conference with investigators re: service of citation on Wilfredo | .9 |
| 11/17/03: | T/C with investigator | .2 |
| 12/10/03: | T/c with IRS, complete tax forms, letter to family re: whereabouts of Wilfredo | .7 |
| 12/15/03: | Draft letter to beneficiaries re: Wilfredo | .7 |
| 2/4/04: | T/c with attorney re: status of accounting | .2 |
| 3/3/04: | Review memo re: status of LA properties | .1 |
| 3/8/04: | Review LA county property profiles | .2 |
| 4/7/04: | T/C with realtor re appraisal of Kern County property , review inventory and appraisal. | .3 |
| 4/12/04: | Review Notice of overdue tax, letter re: same | .3 |
| 9/1/04: | Review letter from counsel re: former administrator's accounting. | .3 |

Total suggested reduction is 10.5. However, before any extra-ordinary fees should be granted at all, special administrator should be required to file verified supplement detailing that all ordinary fees have actually been earned. The court will generally not consider awarding extra-ordinary fees until the executor and/or counsel establish that all ordinary fees have actually been earned. (In re Walker Estate (1963) 221 Cal.App.2d 792)

5. One of decedent's heirs, Wilfredo Magno was the first representative and he apparently sold the real property of the estate without court approval. The exact amount of the proceeds from the transaction have not yet been determined. Petitioner intends to surcharge Wilfredo's distributive share for the proceeds from the sale.
6. File due diligence declaration re Wilfredo.
7. Petitioner states two heirs are unknown. What steps have been taken to locate them? What does petitioner intend to do with their shares of the estate?

RECOMMENDATION:
Need to clear notes

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS04107

PAGE 1 AND 1A ARE THE SAME CASE – SEE BOTH NOTES

CASE NAME: EST OF URICIO V MAGNO

HEARING:

FIRST REPORT AND Account and Report of WILFREDO E MAGNO and
Petition for allowance of fees filed.

COUNSEL:

| | | |
|------------------|----------|-------------------------|
| WILFREDO E MAGNO | (PET)... | JAMES B CHURCH |
| URICIO V MAGNO | (DEC)... | |
| WALTER T MOORE | (SA)... | HARTNELL HORSPOOL & FOX |

GENERAL INFORMATION: This case is set for hearing re: Status Conference.

This case is set for hearing on 1st Account

Accounting period: 9/1/97 0 4/25/03

Continued from 12/10/04 at request of counsel.

Continued from 4/15/05. Nothing new filed.

Last continued from 6/17/05 & 8/12/05, counsel to attempt to resolve issues.

Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner alleges that he may be entitled to a statutory commission and that said commission should be paid at the time of the final report.
2. Petitioner alleges that his attorney may be entitled to statutory fees and that said fees should be paid at the time of the final report.
3. Petitioner made partial distributions of cash to the beneficiaries of the Will (totaling \$53,390). Receipts show that only income to estate totaled

- \$40,071.69. How does petitioner make partial distributions for more than he has received? File verified Supplement re: funds for partial distribution.
4. Petitioner alleges that copies of the checks for the partial distributions are attached as Exhibit B. There is no Exhibit B attached. File verified Supplement to include receipts or cancelled checks of partial distributions made.
 5. Petitioner alleges that he has advanced costs for bills and expenses of the estate. That the amounts advanced, including the partial distributions made, are greater than the receipts and assets of the estate. Petitioner requests a credit for the amounts he has spent in excess of the amount received. There is no itemization of monies advanced by petitioner. Question why partial distributions would be made prior to expenses of administration being paid or reimbursed. File verified supplement to include itemization of costs advanced by petitioner.
 6. Summary of Account does not balance. There is a discrepancy in credits and charges of \$5,931.75. File verified supplement re: discrepancy.

RECOMMENDATION:

Cannot approve as filed. Need verified supplement re: 3, 4, 5 & 6.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS04565

CASE NAME: EST OF WERNER H LAUERMANN

HEARING:

Petition for Letters of Admin. WWA W/ Limited Authority under
IAEA

COUNSEL:

| | | |
|--------------------|--------------------------|-------------------------------|
| PIYANUJ MUONGPRUAN | (PET)... | GRESHAM SAVAGE NOLAN & TILDEN |
| WERNER H LAUERMANN | (DEC)... | |
| RUTH L HENDRICKS | (PET)... | HARTNELL LISTER & MOORE |
| ANUCHAR MUONGPRUAN | (TP)... | GRESHAM SAVAGE NOLAN & TILDEN |
| EVA LAUERMANN | (HARTNELL HORSPOOL & FOX |)...HARTNELL |
| GERDA LAUERMANN | (HARTNELL HORSPOOL & FOX |)...HARTNELL |

GENERAL INFORMATION: This matter set for hearing on competing petitions for letters of administration and will contest.

Petition for letters testamentary, full authority, filed by Piyanuj Moungruan w proof of subscribing witness. Also filed declaration of counsel stating that the will was a copy found in decedent's effects and that there was no indication of revocation.

Petition by Moungruan then withdrawn.

New petition for letters of administration filed by Ruth Hendricks, nominated by decedent's sibling. Ruth Hendricks appointed special administrator on 3/13/03.

New petition for probate of lost will filed by Anuchar Moungruan.

Objection to petition to administer of Ruth Hendricks filed by Anuchar Moungruan.

Will contest filed by Eva and Gerda Lauermann (decedent's siblings) against Anuchar Moungruan petition.

Written opposition to probate of purported will, and answer thereto, filed by parties. Court rules that photocopy of will is a "duplicate original" copy of the will per Pr.C. 6124 and therefore that there is no presumption that decedent destroyed the will within intent to revoke.

Court signs Stipulated Order that it has not made a finding of intestacy.

Trial court procedure was stayed, Court of Appeal later rules that photocopy of will is not a "duplicate original."

Continued from 4/1/05 for the parties to conduct discovery.

Continued from 6/17/05 at request of counsel.

Last continued from 8/12/05. Court orders additional bond to be posted in the amount of \$163,000 (for a total bond of \$423,500). Nothing new filed.

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1. It appears that the will contest on the ground that the proponent of the will did not timely file for admission of the will to probate has been resolved. It also appears that the remaining viable issue re the will contest is whether the will is revoked pursuant to Pr.C. 6124 (a presumption made possible by the Court of Appeal ruling).
2. The parties have been conducting discovery. Question whether case is ready for trial on petitions and will contest. The court is left with competing petitions to be appointed personal representative (letters administration per Ruth Hendricks and letters administration with will attached/lost will per Anuchar Moungruan, and will contest by Lauermanns).
3. Court should require new proofs of publication and notices of hearing in light of return from Court of Appeal and long time since notices/publication were initially made.
4. Will offered by Anuchar Moungruan is not self proving. Need proof of subscribing witness.
5. If Muongrpuan petition is approved, court will need to set hearing for accounting by Ruth Henricks as a special administrator.
6. Filed nomination of Ruth Hendricks as administrator by decedent's sister, Eva Lauermann (who also filed will contest against Anuchar Moungruan petition).
7. **Special Administrator (Ruth Henricks) required to post additional bond of \$163,000.**

RECOMMENDATION:

Inquire re status. Suggest set for trial to give date certain re discovery. Inquire re trial briefs and/or need for Memo of P&As re specific points of law as necessary. If general administrator is appointed, court will have to set future dates. Set hearing for the inventory and appraisal for 5/26/06. Set hearing on Accounting Review/Status for 12/29/06. Accounting to be filed 30 days in advance. Note local rules regarding the filing of bank statements. Court would also need to set hearing re accounting of special administrator. If no general administrator is appointed, court may wish to require special administrator to file an Inventory & Appraisal per Pr.C. 8545.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS05235

CASE NAME: ESTATE OF THERESA SEIBERT

HEARING:

Motion re: NOTICE OF MOTION AND MOTION TO BE RELIEVED AS COUN
filed by Petitioner TINA L CORDERO

COUNSEL:

| | |
|-----------------|---------------------------|
| SANDRA MALONE | (PET)...JOHN M RAGER |
| THERESA SEIBERT | (DEC)... |
| TINA L CORDERO | (PET)...HORSPOOL & PARKER |

GENERAL INFORMATION:

This case is set for hearing on Motion to be Relieved as Counsel (filed by Attorney Parker)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Counsel advises client has failed to follow advice given by attorney and all forms of communication have broken down.

RECOMMENDATION:

Court's discretion.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS05263

CASE NAME: MTR OF THOMAS B. HARDER TRUST

HEARING:
Hearing Re: STATUS REPORT.

COUNSEL:
JOHN M. RAGER (PET)...JOHN M RAGER
THOMAS W. DOMINICK (TP)...FULLERTON LEMANN SCHAEFFER & D

GENERAL INFORMATION:

This case is set for hearing on Status Report/Accounting Review

**Continued from 7/8/05. Attorney Rager advises Inventory & Appraisal to be filed.
Court granted administration to continued to 10/14/05. Nothing new filed**

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Letters of Administration with will annexed issued 4/2/04
2. No Inventory is filed.
3. No Accounting is filed.
4. Previous status report filed stating decedent created trust into which all property was placed; that litigation was commenced re lease and sale of one real property and therefore necessary to create an estate to prosecute/defend the action; there are no assets in the estate and therefore no reason to administer estate. Litigation should be closed within 6 months.

RECOMMENDATION:
Inquire re status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS05368

SEE ALSO # 52

CASE NAME: EST OF JAMES J LIPKE

HEARING:
Mandatory Settlement Conference

| | |
|------------------|-----------------------------|
| | COUNSEL: |
| DEBRA A LIPKE | (PET)...PRO/PER |
| JAMES J LIPKE | (DEC)... |
| CINDY M RAZZETTI | (SA)...BRYAN C. HARTNELL |
| LOUIE H ARMENTA | (TP)...DAVID G CURRIE |
| JOHN F WALLACE | (PAUL H LUSBY)...PAUL H LU |

GENERAL INFORMATION:

This case is set for hearing on M.S.C. re: Petition to Determine Title and to Require Transfer of Security Interest in Real Property.

Continued from 4/29/05 & 8/12/05.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Need to file proof of personal service on John Frederick Wallace.
2. Petitioner (Cindy Razzetti) alleges that the estate has a claim to a 100% interest in real property located at 17629 Ceres Avenue, Fontana. Petitioner further alleges that the former administrator who was removed for cause (Debra Lipke) wrongfully secured a loan of \$130,000 against said property secured by a deed of trust through a lender (Louie Armenta) without court authority. Petitioner requests the court order Louie Armenta to return all right, title, possession and/or security interest to the estate.
3. Petitioner further alleges that Debra Lipke converted and misappropriated to her own use the amount of \$130,000. Petitioner requests that the court hold

- Debra Lipke as a constructive trustee of the \$130,000 and that Debra Lipke be liable for twice the value of the property pursuant to PC 859.
4. Petitioner through an Amendment to the Petition herein also alleges that Debra Lipke additionally secured an additional loan of \$65,000 through a lender (John Frederick Wallace) secured by a deed of trust without court authority. Petitioner requests the court order John Frederick Wallace to return all right, title, possession and/or security interest to the estate.
 5. Petitioner likewise alleges that Debra Lipke converted and misappropriated to her own use the amount of \$65,000. Petitioner requests that the court hold Debra Lipke as a constructive trustee of the \$65,000 and that Debra Lipke be liable for twice the value of the property pursuant to PC 859.
 6. Objection to the Amendment to Petition to Determine Title has been filed by Louie Armenta (the lender).

RECOMMENDATION:

None. (Trial date set for 11/22/05.)

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS05470

CASE NAME: ALEXIA MARQUEZ SETTLEMENT TRUST

HEARING:

FIRST ACCT CURRENT Account and Report of MELODIE Z SCOTT and
Petition for allowance of fees filed.

COUNSEL:
MELODIE Z SCOTT (PET)...HARTNELL, HORSPOOL & FOX

GENERAL INFORMATION:

This case is set for hearing on First Account for Trust and Petition for fees. The Trust was established with funds from a Minor's Compromise Order dated June 12, 2003. The minor, 5, is severely disabled with cerebral palsy and related conditions. The account covers the period of June 12, 2003 through August 31, 2004. Continued from March 4, 2005, to clear notes.

Last continued from 5/20/05 & 7/22/05 at request of counsel. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner seeks trustee fees in the amount of \$22,500. She has already taken \$12,288.71 and requests payment on the balance owing of \$10,211.29 (Judge Williams signed an order allowing petitioner to make monthly payments to herself on the basis of her monthly invoice.) Petitioner states the fee is based on .75% of the corpus of the Trust of \$3,000,000. According to the Trust document, Article I, paragraph 4, the trustee is "entitled to receive just and reasonable compensation...for services in an amount to be determined by the Court..." Petitioner previously filed itemized billings for June through December, 2003. **Supplement filed and petitioner has opted to charge the balance of her time on a percentage basis due to the large value of the estate. CRC 7.756 sets forth criteria for reasonable compensation to trustees. JTD**

2. Petitioner disclosed that she used her mother, Anna Jo Williams, for notary services for the amount of \$30. Ok.
3. Bond is currently set at \$3,100,000. Amount appears sufficient.
4. Questions regarding disbursements:
 - a. It appears that Alicia Ramirez, the minor's mother and caregiver, received double compensation for January 2004. There are two entries—on December 22, 2003, it appears that Ms. Ramirez was paid \$3,637 for 1-04. On January 26, 2004, it appears that Ms. Ramirez was paid \$3,637 for "01-03." The Trust was not even established in January 2003. **Supplement filed and entries should have read "12/03 CARE/SUPERVISION" and "1/04 CARE/SUPERVISION".**
 - b. The minor's mother bought a home for \$400,000 in July 2004 with principal from the Trust. In August 2004 \$52,724.39 was provided by the trustee for "upgrades to house." **Supplement filed and notes "Trust purchased house", not mother, and expenditures were necessary to provide for trust beneficiary (carpeting, blinds, and other necessities for a newly-purchased home).** The expenditures include: installing "granite" counter tops, Venetian blinds, new kitchen/bath cabinetry (cabinetry totals \$31,500). **JTD**
 - c. Lance Riley has been paid a total of \$40 for property management. Why is this expense necessary when the family lives in the home? **Supplement filed and Lancy Riley's services were used re overseeing upgrades to home. Services billed at \$20/hour. JTD**
 - d. Hector Marquez has received monthly reimbursement for medical insurance. Who is Mr. Marquez? Why is he paying and being reimbursed for medical insurance? **Supplement filed and Hector Marquez is minor's father. Medical insurance through father work is less expensive then if the trustee were to maintain private medical insurance.**
5. Petitioner has paid counsel fees in the amount of \$7,084. Does the court wish to require petitioner to obtain Court authorization prior to paying counsel fees?

RECOMMENDATION:

RFA subject to court's determination of fees and miscellaneous disbursements (as noted). Once approved, set next accounting review for 10/26/07. Accounting to be filed 30 days in advance.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS05518

CASE NAME: EST OF LOUISE MITCHELL

HEARING:

Hearing Re: PTN FOR TERMINATING PROCEEDINGS & DISCHARGE.

COUNSEL:

NANCY L PETERSON (PET)...HARTNELL, LISTER & MOORE
LOUISE MITCHELL (DEC)...

GENERAL INFORMATION:

This matter set for hearing on accounting review. Letters issued January 28, 2004.
Continued from 4/15/05, court advised that counsel had stroke. Nothing new filed.
Continued from 7/8/05. Ex parte petition for order terminating proceedings for want of
assets heard on 8/25/05 and continued to 10/14/05 on basis that it did not meet criteria for
ex parte relief.

**Last continued from 9/30/05 to clear notes. Nothing new filed. Accounting is six
months overdue.**

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter is set for accounting review. No accounting has been filed. Clerk has
given notice.
2. Inventory and appraisal has not been filed.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall
compel the account by punishment for contempt. Pr.C. § 11050. Issue a citation and have
it personally served for OSC re: Why the Personal Representative should not be punished
for contempt.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS05528

CASE NAME: EST OF ELSA LONERGAN

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

TAD EMERY LONERGAN (PET)...WATTS & GRAY
ELSA LONERGAN (DEC)...
DONALD WALTON CHRISTENSEN (PET)...MITCH C. WALLIS

GENERAL INFORMATION:

This case is set for hearing on Petition for Letters Testamentary with Full Authority.
Tad Lonergan (son) filed Petition for Administration. Objection filed by Shirley Lonergan-
Higgins (daughter). Will appears to exist, even though original petition indicated not.
Parties agreed that Public Administrator ("PA") would serve with limited authority until
general appointment made. PA filed motion to reconsider the appointment, as notice not
given to PA. Court granted that motion on 7-30-04 and appointment of PA was vacated.
Continued from 9/10/04 at parties request to attempt to resolve issues.
Continued again from 11-9-04 at request of counsel.
Continued from 1/21/05 (competing petition filed by Donald Christensen).
Continued from 3/25/05 counsel indicated **the case has settled** and counsel needed
additional time to complete settlement. Nothing new filed.
Continued from 5/13/05 because settlement not complete.

Last continued from 7/15/05 at request of Attorney Wallis. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED:

1. Need to determine status of settlement.
2. If case not settled, the following notes will apply:
 - a. **Christensen Petition:**

1. Will waives bond.
- b. **Lonergran Petition:**
 1. Wants to administer estate without will. Does petitioner wish to continue with the petition to administer? Is petitioner intending to file a will contest?

RECOMMENDATION:

If no settlement, set for contested hearing. If one of the petitions is granted, need to set hearing for the filing of the Inventory & Appraisal for 5/26/06. Set hearing on the Accounting and/or Status Report for 12/29/06. Accountings to be filed 30 days in advance. Note local rule regarding the filing of bank statements.

San Bernardino Superior Court

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS05778

CASE NAME: ESTATE OF JAMES P HARRINGTON

HEARING:

Petition for FOR FINAL DISTRIBUTION ON WAIVER OF ACCOUNTING (AND
FOR ALLOWANCE OF STATUTORY COMMISSIONS ETC

COUNSEL:

PAMELA S PARLAGRECO (PET)...JOSEPH T OLIVA ARRIOLA
JAMES P HARRINGTON (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Final Distribution on Waiver of Account and for allowance of statutory commissions

Continued from 9/2/05 for counsel to clear calendar notes

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Both residual heirs have waived accounting.
2. Petitioner requests statutory commission of \$9,617.33. Ok.
3. Attorney requests statutory fees of \$9,617.33. Ok.
4. Need to file Graduated Filing Fee Statement per CRC 7.552 even if correct filing fee was paid.

RECOMMENDATION:

RFA subject to note 4. Once approved, set hearing for filing of receipts and final discharge for 10/20/06.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS05940

CASE NAME: EST OF HELEN R MASSEY

HEARING:
Petition for FOR FINAL DISTRIBUTION ON WAIVER OF ACCOUNTING

COUNSEL:
ROBERT R MASSEY (PET)...PRO/PER
HELEN R MASSEY (DEC)...

GENERAL INFORMATION:
This case is set for hearing on Petition for Final Distribution on Waiver of Accounting

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Need to file Notice of Hearing and proof of service.
2. Both residual heirs waive accounting requirement.
3. Petitioner waives statutory commissions.
4. Need to file Graduated Filing Fee Statement per CRC 7.552 even if correct filing fees have been paid. (It appears no additional fees/reimbursement of fees are due.)

RECOMMENDATION:
RFA subject to notes 1 and 4. Once approved, set hearing for filing of receipts and final discharge for 10/20/06.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06043

CASE NAME: MTR OF ROSA MARIE L FEDOR

HEARING:
Probate status report filed.

COUNSEL:

| | | |
|------------------------|--------------------------|-------------------------|
| KARL SCHLUTER | (PET)... | SPRINGER & POLLOCK |
| ROSA MARIE L FEDOR | (DEC)... | |
| CHRISTA SCHLUTER-ZEITZ | (TP)... | HARTNELL LISTER & MOORE |
| MONIKA HUBELER | (HARTNELL LISTER & MOORE |)...HARTNELL |
| ROLF SCHLUTER | (HARTNELL LISTER & MOORE |)...HARTNELL |
| EVELYN SCHMIDT | (HARTNELL LISTER & MOORE |)...HARTNELL |
| URSULA SCHONWALD | (HARTNELL LISTER & MOORE |)...HARTNELL |

GENERAL INFORMATION:

This case is set for hearing on Status Report
Letters of Administration issued 10/8/04 (w/limited authority)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Need to file Notice of Hearing and proof of service.
2. Petitioner alleges the only asset of the estate is an approximate 5 acre parcel of vacant land in Devore, CA, that has been continuously listed for sale. Two previous offers have fell through. Petitioner needs to liquidate the property in order to effect distribution and requests the estate administration remain open for an additional 12 months. JTD
3. No proposed order submitted.

RECOMMENDATION:

Need notice and court's determination of continuing administration of the estate. Once approved, court to set next accounting review for 12/29/06. Accounting to be filed 30 days in advance.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06082

CASE NAME: EST OF ARTHUR MELVIN CROFUTT SR

HEARING:

Petition for TO DETERMINE TITLE TO REAL PROPERTY CLAIMED TO
BELONG TO ESTATE

COUNSEL:

THOMAS W DOMINICK (PET)...FULLERTON LEMANN SCHAEFFER & D
ARTHUR MELVIN CROFUTT SR (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Petition to Determine Title to Real Property claimed to
belong to Estate (Pr.C. §850)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner alleges at the time of decedent's death, decedent claimed an ownership interest in unimproved real property in Imperial County, CA (APN: 010-382-03-01). Petitioner further alleges that said ownership interest was derived from a written Assignment executed on or about 2/18/72 by the then record owner (Carrie Crofutt).
2. Question the validity of the signed Assignment as to the Assignee's Acceptance, Seller's Consent and/or the Assignment being recorded. File verified supplement with Points & Authorities re validity.

RECOMMENDATION:

Need verified supplement (note 3)

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06138

CASE NAME: ESTATE OF IOLA L MARTINEZ

HEARING:
PETITION FOR LETTERS OF ADMINISTRATION W/WA W/FULL AUTHORITY
UNDER IAEA.

| | |
|-----------------|-----------------|
| | COUNSEL: |
| RUDY MARTINEZ | (PET)...PRO/PER |
| IOLA L MARTINEZ | (DEC)... |

GENERAL INFORMATION:

This case is set for hearing on Petition for Letters of Administration with will annexed w/full authority under IAEA.

Continued 6 times. Petition pending since October 2004. Last continued from 8/26/05 for petitioner to file proof of publication.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Proof of due publication is filed. However, date of hearing is not published correctly (date of hearing is published as November 12, 2005). Need correct publication date. Need proof of corrected publication.
2. Will waives bond.

RECOMMENDATION:

RFA subject to 1. Once approved, set hearing for filing of Inventory & Appraisal for 5/26/06. Set hearing for the accounting and/or status review for 12/29/06. Accountings to be filed 30 days in advance. Note local rules regarding the filing of bank statements

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06214

CASE NAME: ESTATE OF JULIUS B ALLEN

HEARING:

Motion re: NOTICE OF MOTION AND MOTION TO BE RELIEVED AS COUN
filed by Petitioner TINA L ALLEN

| | |
|----------------|----------------------|
| | COUNSEL: |
| TINA L ALLEN | (PET)...SHORE & WURM |
| JULIUS B ALLEN | (DEC)... |

GENERAL INFORMATION:

This case is set for hearing on Motion to be Relieved as Counsel (filed by Attorney Wurm)

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Counsel alleges client is not cooperating with attorney and has developed conflicting interest.

RECOMMENDATION:

Court's discretion.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06232

CASE NAME: ESTATE OF ORELL TAYLOR

HEARING:
Petition for APPOINTMENT OF GUARDIAN AD LITEM

COUNSEL:
LINDA TAYLOR (PET)...KAMOLA L GRAY
ORELL TAYLOR (DEC)...
HENRYETTA COOPER (TP)...FULLERTON LEMANN SCHAEFFER & D

GENERAL INFORMATION:

This matter set for hearing on Petition for Appointment of Guardian Ad Litem. Continued from 1/21/05, 2/8/05, 4/8/05, 6/10/05 & 7/22/05. One of the heirs is a minor. Although GAL is being requested for purposes of probate, it appears that a guardianship case will also need to filed (if not already) as minor has no living parents.

Continued last from 7/22/05.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. An Order Appointing GAL was filed on 2/18/05 (tabbed in file naming Linda Taylor as GAL for Tiffany Taylor). Question whether court wishes to revisit these orders?

RECOMMENDATION:

Determine status of minor.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06276

CASE NAME: EST OF ARLEE MCKNIGHT

HEARING:
Accounting Review

| | |
|----------------|---------------------------|
| | COUNSEL: |
| RICKY MCKNIGHT | (PET)...BEATRICE L LAWSON |
| ARLEE MCKNIGHT | (DEC)... |
| STANLEY GARNER | (PET)...PRO/PER |
| RICKY MCKNIGHT | (TP)...BEATRICE L SAWSON |

GENERAL INFORMATION:

This case is set for hearing on Accounting Review by former special administrator (Ricky McKnight) for the period 1/31/05 – 7/22/05

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Accounting is not filed.

RECOMMENDATION:

Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06287

CASE NAME: MTR OF MARY JANE ERWIN

HEARING:

FIRST AND FINAL Account and Report of DANIELLE M RAMIREZ and
Petition for allowance of fees filed.

COUNSEL:

DANIELLE M RAMIREZ (PET)...DONNASUE SMITH-ORTIZ
MARY JANE ERWIN (DEC)...

GENERAL INFORMATION:

This case is set for hearing on 1st & Final Account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner waives statutory commissions.
2. Attorney requests statutory fees of \$12,901.31. Ok.
3. Attorney requests reimbursement of costs of \$483.67. Itemized. JTD
4. Petitioner requests authority to reserve \$1,000 to cover any additional
expenses in closing the estate administration.
5. Need to file Graduated Filing Fee Statement per CRC 7.552 even if correct
filing fee was paid. It appears from the Inventories filed, an additional filing
fee is due in the amount of \$71.50.

RECOMMENDATION:

RFA subject to note 5. Once approved, set hearing for filing of receipts and final
discharge for 10/20/05

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06290

CASE NAME: MTR OF ANTHONY OCCHINO

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

JUDITH M GREENWOOD (PET)...PAULA FORTHUN-BALDWIN
ANTHONY OCCHINO (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Probate, Letters Testamentary w/full authority
under IAEA.

Continued from 3/25/05 at request of counsel in order to clear calendar notes.

Continued from 6/10/05. Parties discussing settlement.

Last continued from 7/22/05 at request of counsel. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Will is only notarized and no other witnesses have signed the Will in
accordance with PC 6110(c). Question the validity of the Will. File Ps & As
to support validity of the Will when only notarized and no other attesting
witnesses.
2. Will waives bond. However, if Will is invalid, Court should fix bond at
\$317,000.

RECOMMENDATION:

Need to clear notes 1 & 2. Once approved, set hearing for the inventory and appraisal for
5/26/06. Set hearing for the accounting for 12/29/06. File accounting 30 days prior to the
hearing. Note local rule re: filing copies of bank statements.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06353

CASE NAME: ESTATE OF PEARL GHYST

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

| | |
|-------------|-----------------|
| SHANI GHYST | (PET)...PRO/PER |
| PEARL GHYST | (DEC)... |

GENERAL INFORMATION:

This case is set for hearing on Petition for Probate, Letters Testamentary w/full authority
under IAEA

**Continued from 4/15/05 for petitioner to complete publication and pay filing fee.
Continued from 6/24/05 & 8/26/05 to clear notes. Nothing new filed.**

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Will waives bond
2. Petitioner alleges Will is self-proving. However, witness attestation clause is not "under penalty of perjury" per CCP 2015.5. Therefore, need to file proof of subscribing witness.
3. Petitioner has been granted a filing fee waiver. However, estimated value of estate is \$87,000 (real property - \$30,000 and personal property - \$57,000). Court may wish to require filing fee to be paid at time of closing estate.
4. Party represents that they will pay filing fee morning of 6/24/05 before hearing. However, no receipt of payment is in file. Can petitioner provide receipt for payment?

RECOMMENDATION:

RFA subject to notes 2 & 3. Once approved, set hearing on I&A for 5/26/06. Set hearing on Accounting Review/Status for 12/29/06. Accounting to be filed 30 days in advance.
Note local rules regarding the filing of bank statements.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06365

CASE NAME: ESTATE OF NILA JOANN HODGES

HEARING:

FIRST AND FINAL Account and Report of RUSSELL B HODGES and
Petition for allowance of fees filed.

COUNSEL:

RUSSELL B HODGES (PET)...D. HERSHEL W ILSON
NILA JOANN HODGES (DEC)...

GENERAL INFORMATION:

This case is set for hearing on 1st & Final Account

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner, as sole beneficiary, waives accounting requirement.
2. Petitioner waives statutory commission.
3. Attorney requests statutory fees of \$4,467.35. Ok
4. Petitioner requests a reserve of \$50.00 for closing costs. Ok

RECOMMENDATION:

RFA. Once approved, set hearing for filing of receipts and final discharge for 10/20/06

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06510

CASE NAME: MTR OF THE EMMA MARY RAGO TRUST

HEARING:

Petition for FOR REMOVAL OF TRUSTEE AND APPT OF SUCCESSOR OF
TRUSTEE ETC

COUNSEL:

EUGENE V MAROCCO (PET)...THOMAS W DOMINICK
RONALD MAROCCO (OBJ)...LAW OFFICE OF J. DANA MITCHEWE

GENERAL INFORMATION:

This case is set for hearing on Petition for Removal of Trustee and Appointment of
Successor Trustee, to Compel Accounting of Trustee and to Compel Trustee to Redress
Breach of Trust by payment of Damages

Continued from 7/22/05 at request of Attorney Dominick.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner alleges petitioner is a beneficiary of the Emma Mary Rago Trust established by declaration of trust dated 3/6/96. Petitioner further alleges a copy of the Trust is attached as Exhibit "A". However, no Exhibit "A" is attached, nor is a copy of the Trust file. **Supplement filed with a copy of the Trust.**
2. Petitioner alleges the original settlor of the Trust (Emma Mary Rago) died 5/5/04. Petitioner alleges that since approximately 5/5/04, Ronald Marocco has served as successor of the Trust and has had possession of certain assets of the Trust.
3. Petitioner alleges that the Trust requires the trustee to account annually to the beneficiaries. In addition, petitioner alleges petitioner has requested an accounting from the successor trustee (Ronald Marocco) who has failed and refused to account for the administration of the Trust as requested.

Petitioner requests the Court to compel an accounting by successor trustee Ronald Marocco.

4. Petitioner alleges that on or about 3/6/96, settlor, as principal, executed a Durable Power of Attorney for Financial Needs in favor of Ronald Marocco. Petitioner has made written demand on Ronald Marocco to provide an accounting of his actions as attorney-in-fact per Pr. C. §4541(c).
5. Petitioner alleges that Ronald Marocco, in breach of the Trust, has taken possession of the property of the Trust and misappropriated the same for his own benefit. Particularly, \$256,000 in proceeds from the sale of decedent's real property at 361 W. Chapparal, Rialto, as well as tangible and intangible personal property. Petitioner requests the court order Ronald Marocco to redress the breach of trust by returning all Trust property and/or funds belonging to the Trust received by him together with interest.
6. Petitioner requests the court to remove Ronald Marocco as trustee of the Trust, appointing petitioner as successor trustee of the Trust.
7. Petitioner requests attorney's fees and costs of suit according to proof.
8. There is no responsive pleadings from Ronald Marocco at the time of the review of this file.

RECOMMENDATION:

Court may wish to order Ronald Morocco to file an accounting for the period served as successor trustee and as attorney-in-fact. As to issues of misappropriation, attorney's fees and costs and removal, court may wish to set for evidentiary hearing.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06513

CASE NAME: LINDA G CRAMBERG TRUST

**PAGES 22, 22A, 23, AND 27B ALL INVOLVE SAME DECEDENT LINDA CARDWELL
AKA LINDA CRAMBERG**

HEARING:
Petition for TO REMOVE TRUSTEE AND TO APPOINT SUCCESSOR TRUST

| | |
|------------------|--|
| | COUNSEL: |
| BRIAN D LYNCH | (PET)...JOHN M RAGER |
| DAVID L CARDWELL | (PET)...FULLERTON LEMANN SCHAEFFER & D |
| STEPHANIE WOOD | (STE)...HARTNELL LISTER & MOORE |

GENERAL INFORMATION:

This case is set for hearing on Petition to Remove Trustee and Appoint Successor Trustee
filed by Brian Lynch

Continued from 7/22/05

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner is a beneficiary of the Linda G. Cramberg Trust created by written agreement dated 1/18/01.
2. Petitioner alleges that Stephanie Wood accepted the appointment as trustee of the Trust and has served as successor trustee since the death of trustee on 11/16/04. Petitioner further alleges Stephanie Wood should be removed as trustee because Stephanie Wood has violated the duty owed to petitioner as beneficiary in that she has failed to act with care, skill, prudence and diligence. Petitioner alleges that Stephanie Wood has not accounted for the period she has served as trustee and requests the Court to order an accounting be filed.

3. Petitioner alleges that Stephanie Wood has transferred Trust property to her own name and borrowed money obligating the property.
4. Petitioner requests an independent trustee be appointed.
5. **Objections filed by respondent, Stephanie Wood. Respondent denies that she has violated her fiduciary duty by distributing Trust assets to herself for personal gain but instead alleges that any transfers have been made with the sole purpose of making improvements to the real property of the Trust for the benefit of all Trust beneficiaries. Respondent further denies that she has destroyed any estate planning documents.**
6. Related matter below (matter 22A)

RECOMMENDATION:

Court may wish to order an accounting be filed by Stephanie Wood for the period 11/16/04 to the present date.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE Gus J Skropos

DATE: 07/22/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06513

CASE NAME: LINDA G CRAMBERG TRUST

**PAGES 22, 22A, 23, AND 27B ALL INVOLVE SAME DECEDENT LINDA CARDWELL
AKA LINDA CRAMBERG**

HEARING:

Petition for TO ASCERTAIN BENEFICIARIES OF TRUST AND DETERMINING
DIST ETC

COUNSEL:

BRIAN D LYNCH (PET)...JOHN M RAGER
DAVID L CARDWELL (PET)...FULLERTON LEMANN SCHAEFFER & D

GENERAL INFORMATION:

This case is set for hearing on Petition to Ascertain Beneficiaries of Trust and Determine Distribution of Property on Termination, to Remove Trustee for Breach of Trust, to Compel Accounting, and to Compel Trustee to Redress Breach of Trust by transferring property back to Trust and Payment of Damages (filed by David Cardwell)

Continued from 7/22/05

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner is the surviving spouse of Linda Cramberg, deceased trustor. Petitioner alleges he and Linda Cramberg were married on 8/3/02, and Linda Cramberg died on 11/6/04.
2. Petitioner alleges Stephanie K. Wood is the duly appointed and acting Trustee of the Trust.
3. Petitioner alleges the Trust provides that upon the death of the Trustor, the trust estate is to be divided equally between Trustor's two children, Stephanie K. Wood and Brian D. Lynch, with the latter's share to remain subject to the Trust for up to 20 years after the death of the Trustor.
4. Petitioner alleges that petitioner is entitled to a beneficial interest in the Trust because Trustor failed to provide in a testamentary instrument for petitioner,

who married the Trustor after execution of the Trust (on 1/18/01) and accompanying pour-over Will. Petitioner alleges under Pr.C. §21610, as a pretermitted spouse, is entitled to receive an undivided 1/3 interest in assets of the Trust.

5. Petitioner alleges that trustee Stephanie K Wood has violated the duties owed the beneficiaries, including petitioner, in that she distributed to herself the entire fee interest in real property at 35139 Elm Lane, Yucaipa and has obtained a new loan against said property in her own name. Petitioner further alleges Stephanie K. Wood is using this property as her own and has failed to pay rent or reimburse the Trust therefore in any manner whatsoever for the value of said use. Petitioner requests an order compelling Stephanie K. Wood to account for all trust property.
6. Petitioner alleges that Trustor Linda Cramberg had executed additional estate planning documents subsequent to her marriage to petitioner, but that those documents have been destroyed by the trustee, Stephanie K. Wood.
7. Petitioner requests a determination that on termination of the Trust, the trustee distribute the trust property: 1/3 to Stephanie K Wood, 1/3 to Brian D. Lynch (to be held and administered according to the terms of the Trust) and 1/3 to petitioner.
8. Petitioner requests an order removing Stephanie K. Wood as trustee. Petitioner further requests that petitioner be appointed successor trustee of the Trust.
9. No responsive pleadings have been filed at the time of the review of this file.
10. Related matter above (matter 22)

RECOMMENDATION:

Court may wish to require Stephanie K. Wood to account for the period served as trustee (11/11/6/04 to the present). As to other issues, court may wish to set for evidentiary hearing.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06514

CASE NAME: MTR OF LINDA GAIL CARDWELL

**PAGES 22, 22A, 23, AND 27B ALL INVOLVE SAME DECEDENT LINDA CARDWELL
AKA LINDA CRAMBERG**

HEARING:
Spousal Property Petition hearing.

COUNSEL:
DAVID L CARDWELL (PET)...FULLERTON LEMANN SCHAEFFER & D
LINDA GAIL CARDWELL (DEC)...
BRIAN D LYNCH (OBJ)...JOHN M RAGER
STEPHANIE WOOD (E. JOAN NELMS)...E. JOAN N

GENERAL INFORMATION:
This case is set for hearing on Spousal Property Petition

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. A petition to administer the estate of decedent's post-spouse, David Cardwell, was granted 9/23/05 (Case No. SPRSS 06613). This petition was originally brought by David. Does administrator now maintain the petition in the name of David's estate?
2. Decedent Linda Cardwell's estate is also the subject of a petition for letters testamentary by Stephanie Wood (the objector in this spousal property petition – see below) Case No. SPRSS 06626 at Page 27A this date. It appears that the real property that is the subject of this spousal property petition is the only asset in Linda's estate there. Suggest the Court determine the Spousal Property petition first to determine whether property will be in the estate of Linda or the estate of David, then proceed with both estates unless one or the other lacks assets.

3. Petitioner alleges that the property at 33298 Colorado Street, Yucaipa, was the community property of decedent and petitioner. Petitioner alleges that petitioner and decedent jointly acquired the subject property on 10/31/01, each contributing ½ of the down payment and thereafter, paying ½ of monthly mortgage payments. Petitioner further alleges that title of the property was taken only in decedent's name since petitioner and decedent were concurrently operating a business (Fresh Looks Painting and Remodeling) and petitioner and decedent wishes to protect the property from creditors. Petitioner alleges that the subject property was refinance on 10/15/03 and petitioner executed the deed of trust securing the loan. It appears from a copy of the Deed of Trust (Exhibit B, page 4 [tabbed]) that petitioner signed as a "non-vested spouse" who was "required to sign", but title continued to be in the name of decedent.
4. Petitioner alleges petitioner and decedent were married on 8/3/02, but that the petitioner and decedent considered the property as their jointly owned property both before and after the date of marriage.
5. **Objections filed by Stephanie Wood, daughter of the decedent and successor trustee of the decedent's trust. Objector denies there was any agreement for ownership of real property and that petitioner made any down payment or mortgage payments prior to the marriage. Objector further denies that petitioner is a pretermitted spouse under Pr.C. §21610. Objector finally alleges that the decedent provided for petitioner through decedent's estate plan by purchasing a life insurance policy and designated petitioner as the beneficiary on an Oppenheimer Fund through decedent's employer.**

RECOMMENDATION:

The court may wish to set this matter for evidentiary hearing.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06552

CASE NAME: EST OF CHRISTEEN WAGNER KOBBE

HEARING:
Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:
CLARA E TITERA (PET)...MCPETERS MCALEARNEY SHIMOFF &
CHRISTEEN WAGNER KOBBE (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Probate, Letters Testamentary w/full authority
under IAEA.

Continued from 9/2/05.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Will waives bond.
2. Petitioner alleges will is self-proving. However, Will does not satisfy CCP 2015.5 in that the witness attestation must be signed under "penalty of perjury". Need to file proof of subscribing witness. Proof of Subscribing Witness filed but does not attach copy of will as required (declarant and attorneys sign that attached will is the true signed will offered for probate).
Corrected Proof of Subscribing Witness is filed.

RECOMMENDATION:

RFA. Once approved, court to set future dates. Set hearing on Inventory & Appraisal for 5/26/06. Set hearing on Accounting Review for 12/29/06. Accounting to be filed 30 days in advance. Note local rules on filing copies of bank statements.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06558

CASE NAME: MTR RE ROBERT M BARROW

HEARING:
Petition for PARTICULAR TRANSACTION

COUNSEL:
COLEEN BARROW (PET)...EDWARD B FISCHER
ROBERT M BARROW (INC)...

GENERAL INFORMATION:

This case is set for hearing on petition for particular transaction (PR.C. 3100).

Continued from 8/26/05 to clear calendar notes.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petitioner is the wife of an incapacitated 54 year old man who has suffered from strokes, dementia, and an abrupt downturn in health. Petitioner is in the process of selling the marital residence in Grand Terrace, CA and seeks an order transferring the residence to her sole and separate property so that she can use the proceeds to pay for expenses (medical bills) and to avoid having the remaining proceeds disqualify her husband from receiving Medi-Cal benefits.
2. Medical capacity declaration is filed supporting allegations by petitioner in note 1 and confirms husband's inability to attend the court hearing due to medical conditions.
3. Court has previously appointed attorney Judith Runyon as guardian ad litem for husband. Need report of counsel.

RECOMMENDATION:

Need report of counsel and then court's discretion.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06562

CASE NAME: ESTATE OF RODOLFO J ESCAMILLA

HEARING:
Spousal Property Petition hearing.

COUNSEL:
ISABEL M ESCAMILLA (PET)...PRO/PER
RODOLFO J ESCAMILLA (DEC)...

GENERAL INFORMATION:
This case is set for hearing on spousal property petition (PR.C. 13650)
Continued from 8/26/05. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Decedent died intestate in 2003 leaving property in San Bernardino County.
2. Need an Attachment 7 to petition setting forth the factual basis for petition. File verified supplement with facts. **Supp: Petitioner filed Amended Spousal Property Petition with property description and a statement that decedent left real property, petitioner is surviving spouse, and their six children agree with petition. There are no allegations that the property was held as community property. Also, there is no proof of service of the amended petition. Need copy of deed and proof of service of amended petition.**

RECOMMENDATION:
Need to clear notes.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06578

CASE NAME: MTR OF ANTONIO G FUENTES

HEARING:
PETITION FOR LETTERS OF ADMINISTRATION W/WA W/FULL AUTHORITY
UNDER IAEA.

COUNSEL:

| | |
|-------------------|---------------------------------|
| GERALD B FUENTES | (PET)...ROBBINS & HOLDAWAY |
| ANTONIO G FUENTES | (DEC)... |
| BARBARA A FUENTES | (PET)...HARTNELL LISTER & MOORE |

GENERAL INFORMATION:

This case is set for hearing on Petition for Letters of Administration with Will Annexed, w/full authority under IAEA (filed by Gerald Fuentes, son of decedent) – Petition #1

Competing petition filed by Barbara Fuentes (surviving spouse of decedent) – Petition #2

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

Petition #1:

1. Petitioner requests bond be fixed at \$110,000. Ok if encumbrance on residence is \$65,500. Petition #2 indicates encumbrance is \$55,500 and therefore, bond should be fixed at \$119,500. Court may wish to fix bond at \$119,500 unless petitioner can show encumbrance is \$65,500.
2. All residual beneficiaries (children of decedent) have nominated petitioner to serve as administrator with will annexed, and thus, petitioner would have priority over petitioner #2 per Pr.C. §8441(b).

Petition #2:

1. Petitioner requests bond be fixed at \$110,000. Petitioner #2 indicates encumbrance is \$55,500 and therefore, bond should be fixed at \$119,500.
2. Need to file notice of petition to administer estate and proof of service.

RECOMMENDATION:

Need to clear note 2 (petition #2) and court's determination of bond. Petitioner #1 has priority to act per Pr.C. §8441(b) unless petitioner #2 can show petitioner #2 has priority. Court may wish to set for contested hearing.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06578

CASE NAME: MTR OF ANTONIO G FUENTES

HEARING:
PETITION FOR LETTERS OF ADMINISTRATION W/WA W/FULL AUTHORITY
UNDER IAEA.

COUNSEL:

| | |
|-------------------|---------------------------------|
| GERALD B FUENTES | (PET)...ROBBINS & HOLDAWAY |
| ANTONIO G FUENTES | (DEC)... |
| BARBARA A FUENTES | (PET)...HARTNELL LISTER & MOORE |

See prior notes (matter 27)

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06626

CASE NAME: EST OF LINDA GAIL CARDWELL

**PAGES 22, 22A, 23, AND 27B ALL INVOLVE SAME DECEDENT LINDA CARDWELL
AKA LINDA CRAMBERG**

HEARING:

Petition for Probate, Letters of Tstmnty with full authority
under IAEA.

COUNSEL:

STEPHANIE WOOD (PET)...JACK B OSBORN
LINDA GAIL CARDWELL (DEC)...

GENERAL INFORMATION:

This case is set for hearing on petition for letters testamentary, full authority.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. See Pages 22, 22A, and 23 re the other cases involving this decedent – trust matters, a spousal property petition by this decedent's post-deceased spouse and another case administering estate of the post-deceased spouse. Suggest Court resolve spousal property petition first as explained at Page 23.
2. This petition is by Stephanie Wood, objector to spousal property petition.
3. Letters of special administration issued 9/1/05, no bond. That ex parte petition noted the issue of whether the real property is properly in the estate of David or Linda Cardwell.
4. Will waives bond.

RECOMMENDATION:

Suggest Court resolve spousal property petition first as set forth at Page 23 this date. Otherwise, if Court reaches this petition, RFA, no bond. Set hearing on Inventory &

Appraisal for 5/26/06. Set hearing on Accounting Review for 12/29/06. Accounting to be filed 30 days in advance. Note local rules on filing copies of bank statements.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06633

CASE NAME: JAVIER DIAZ FAMILY TRUST DATED 06032005

HEARING:
Petition for FOR ORDER CONFIRMING SUCCESSOR TRUSTEE AND TRUST
ASSETS

COUNSEL:
ELISEO RODRIGUEZ (TEE)...PECCORINI & PECCORINI

GENERAL INFORMATION:

This case is set for hearing on Petition for Order Confirming Successor Trustee and Trust Assets

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Petitioner alleges the settlor (decedent) Javier Diaz created the Javier Diaz Family Trust dated June 3, 2005 and funded the trust with settlor's assets described on Exhibit A attached to the trust. Petitioner further alleges Exhibit A included a CD held at World Savings Bank and that settlor intended to transfer said CD in the name of the trust upon its maturity (July 7, 2005). Petitioner alleges settlor was abducted and thereafter killed on July 6, 2005. Petitioner requests the CD be determined an asset of the trust. Petitioner gives no points and authorities for such transfer, but the transfer is permissible under Estate of Heggsted (1993) 16 Cal.App.4th 943.
2. Petition is not verified per Pr.C. §1021. File verified supplement with verification.
3. No objections filed at the time of the review of this filed.

RECOMMENDATION:

Need to clear note 2 and then court's discretion.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06638

CASE NAME: ESTATE OF BARBARA L TREADWAY

HEARING:

Petition for Letters of Admin. W/ Full Authority under IAEA.

COUNSEL:

BOB W TREADWAY (PET)...CRAIG M PARKER
BARBARA L TREADWAY (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Letters of Administration w/full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Special letters granted on 9/14/05, \$10,000 bond.
2. Petitioner requests \$10,000 bond. Both residual beneficiaries have waived bond. Petitioner alleges there are no known creditors of the estate. However, as petitioner lives outside of California, petitioner requests a minimum bond of \$10,000. The current minimum bond premium will purchase a \$20,000 bond. Therefore, court may wish to require a minimum bond of \$20,000. JTD

RECOMMENDATION:

RFA subject to court's determination of bond. Once approved, set hearing on filing Inventory & Appraisal for 5/26/06. Set hearing on accounting review for 12/29/06. Accounting to be filed 30 days in advance. Note local rules regarding the filing of banks statements.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06639

CASE NAME: ESTATE OF NEMECIO H NAVAR

HEARING:
Spousal Property Petition hearing.

COUNSEL:
PEDRINA INES NAVAR (PET)...JAMES P CAIOPOULOS
NEMECIO H NAVAR (DEC)...

GENERAL INFORMATION:
This case is set for hearing on Spousal Property Petition

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner requests the court determine that the subject real property (decedent's half-interest in, and petitioner's half-interest in, community property at 5929 Elmwood Road, San Bernardino, CA, be determined the community property of decedent and petitioner, the surviving spouse such that petitioner is now entitled to the entire property. Petitioner alleges although petitioner and decedent married on 9/29/00, petitioner and decedent lived together for over 25 years holding themselves out to be husband and wife. Decedent acquired title to the subject property in 1990 and acquired it as a "married man" although as his sole and separate property. Petitioner alleges petitioner and decedent commingled all of their property, including earnings from which all mortgage payments were made.

RECOMMENDATION:
Court's discretion.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06640

CASE NAME: EST OF VERLA JOYCE BURNETT

HEARING:
Petition for Letters of Admin. WWA W/ Limited Authority under
IAEA

COUNSEL:
JERRY KITYK (PET)...LAW OFFICES OF DUANE S LINDSEY
VERLA JOYCE BURNETT (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Letters of Administration with Will Annexed, with limited authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Petitioner is a private professional fiduciary and requests bond be fixed at \$20,000. Ok.
2. Need to file proof of due publication.

RECOMMENDATION:

Need to clear note 2 and court's determination of bond. Once approved, set hearing on filing Inventory & Appraisal for 5/26/06. Set hearing on accounting review for 12/29/06. Accounting to be filed 30 days in advance. Note local rules regarding the filing of banks statements.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06641

CASE NAME: ESTATE OF GILBERT L HANSON

HEARING:

Petition for Probate, Letters of Tstmntry with full authority under IAEA.

COUNSEL:

REGINA D HANSON (PET)...PRO/PER
GILBERT L HANSON (DEC)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Probate and for Letters Testamentary w/full authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Petitioner alleges obtaining a bond would be a financial burden on petitioner and that all heirs have waived bond. However, need to file written waivers by Philip Hanson and Trudy O'Hare. (Estimated value of estate is real property with a net value of \$120,000). In lieu of waivers court may wish to require \$120,000 bond or grant only limited authority.
2. Need to file Notice of Petition to Administer Estate and proof of service.
3. Need to file proof of due publication. **Supp: Proof of publication filed but the text did not indicate that full IAEA powers are being requested. Need corrected publication or Court cannot grant full powers.**
4. Court has previously ordered filing fees waived. In light of the value of the estate, does the court wish to revisit these orders and require petitioner to pay any required filing fees at the close of the estate?

RECOMMENDATION:

RFA subject to notes 2 & 3 and court's determination of bond. Once approved, set hearing on filing Inventory & Appraisal for 5/26/06. Set hearing on accounting review for 12/29/06. Accounting to be filed 30 days in advance. Note local rules regarding the filing of banks statements.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 8:30 DEPT: S4

CASE #: SPRSS06642

CASE NAME: MTR OF KENNETH E CLEMENTS

HEARING:
Petition for Probate, Letters of Tstmntry with full authority
under IAEA.

COUNSEL:
NANCY S SIMPSON (PET)...JOHN M RAGER
KENNETH E CLEMENTS (DEC)...

GENERAL INFORMATION:
This case is set for hearing on Petition for Probate and for Letters Testamentary w/full
authority under IAEA

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Will waives bond

RECOMMENDATION:
RFA, no bond. Once approved, set hearing on filing Inventory & Appraisal for 5/26/06.
Set hearing on accounting review for 12/29/06. Accounting to be filed 30 days in advance.
Note local rules regarding the filing of banks statements.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 9:00 DEPT: S4

CASE #: SPRSS06141

CASE NAME: VERNON REVOCABLE LIVING TRUST

HEARING:
Hearing Re: Final Settlement/Review of Settlement.

COUNSEL:
JOHN VERNON (PET)...FULLERTON LEMANN SCHAEFFER & D

GENERAL INFORMATION:

This case is set for hearing re Final Settlement/Review of Settlement
At hearing on 7/27/05, parties agreed on stipulated settlement agreement. Deborah &
Doyle Vernon were each to receive \$28,000 in full by 9/12/05 and withdraw their petition.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Formal Settlement Agreement/proposed order are not yet filed.

RECOMMENDATION:
Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN CONSERVATORSHIPS

DATE: 10/14/05 TIME: 10:00 DEPT: S4

CASE #: SC SS02860

CASE NAME: MTR OF EARL GRIFFIN

HEARING:
Petition for Appointment of Conservator

| | |
|---------------|----------------------|
| | COUNSEL: |
| ROSIE GRIFFIN | (CP)...PRO/PER |
| LONNIE PATE | (CP)...PRO/PER |
| EARL GRIFFIN | (CTP)...WALTER MOORE |

GENERAL INFORMATION:

This case is set for hearing on Petition for Appointment of Conservator, person only, by mother and brother

Continued from 5/27/05 & 7/22/05. On 5/27/05, Court is advised that Attorney Moore is hospitalized. Attorney Hartnell requests continuance to allow Attorney Moore to review CI report. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Temporary letters issued 4/28/05
2. Proposed conservatee will attend the hearing. However, medical capacity declaration indicates proposed conservatee is not able to attend hearing. Need to file return of Citation.
3. Petitioners do not seek medical powers (Item 1g of petition), however, allege proposed conservatee lacks capacity and a medical capacity declaration is filed supporting allegation. Do petitioners seek medical powers? File verified supplement.
4. Petitioners allege proposed conservatee is developmentally disabled. Attorney Moore has been appointed as counsel for proposed conservatee.
5. Need to file Notice of Hearing and proof of service per Order Prescribing Notice.

RECOMMENDATION: Need notice, return of Citation and verified supplement re note 3.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 10:00 DEPT: S4

CASE #: SC SS02930

CASE NAME: MTR OF RICHARD MARRAPESE

HEARING:
Petition for Appointment of Conservator

COUNSEL:
MELODIE Z SCOTT (CPE)...BRYAN C. HARTNELL
RICHARD MARRAPESE (CEP)...
JAMES MARRAPESE (SC)...LINDA ROBERTS ROSS

GENERAL INFORMATION:

This case is set for hearing on petition for appointment of conservator, person and estate, by professional conservator.

Continued from 8/26/05 in order to clear calendar notes. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Two ex parte petitions for temporary conservatorship of person and estate were filed, one by professional Melodie Scott and one by family member Richard Marapese, Jr. On 7/28/05, Court granted ex parte petition of Richard Marapese, Jr. and recognized that petition for conservatorship of Melodie Scott was withdrawn. Unclear whether current petition for general conservatorship was also withdrawn, but the Court also confirmed this hearing date, potentially indicating that it was only the ex parte petition that was withdrawn and that the petition for general letters remained on calendar. Court should inquire re whether Melodie Scott intends to proceed with this petition. If proceeding, see notes below.
2. Petitioner requests no bond on basis that requirements of Pr.C. 2323 are met (estate value less than \$7,500, income exclusive of public benefits less than \$1,000 per month, and all income spent on behalf of proposed conservatee). Estate estimated in petition as unknown personal property and \$8,400 annual income. JTD.

3. Petitioner requests that the Court dispense with notice to proposed conservatee on basis he is vegetative and on life support. Alternatively, would need issuance and return of citation of proposed conservatee. JTD.
4. Basis for petition is that proposed conservatee is on life support at Loma Linda University Medical Center, is in need of at transfer, and no family member has agreed to assist in the transfer. Temporary letters issued to family member as noted above may negate this basis for petition.
5. Court may wish to review Confidential Supplemental Information form (tabbed) re family issues.
6. CI Report indicates lack of objection (lack of response - vegetative) by proposed conservatee.
7. Need completed confidential screening form.
8. Petitioner requests medical powers. Need medical declaration in support.
9. At 10/5/05 hearing, Court appointed attorney Roger Walker as counsel for proposed conservatee. 10/5/05 hearing date confirmed. Need report of counsel.

RECOMMENDATION:

Need to clear notes.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 10:00 DEPT: S4

CASE #: SC SS02947

CASE NAME: MTR RE AMANDA LYNN STANLEY

HEARING:
Petition for Appointment of Conservator

COUNSEL:
PHYLLIS ZACK (CPE)...JACK B OSBORN
ANTHONY ZACK (CPE)...JACK B OSBORN
AMANDA LYNN STANLEY (CTP)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Appointment of Limited Conservator, person only, by grandparents

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. Temporary letters issued 9/14/05
2. Petitioners request medical powers. Need to file medical capacity declaration.
3. Petitioner alleges proposed conservatee is developmentally disabled. Court must appoint counsel for proposed limited conservatee, with the cost to be paid by the proposed limited conservatee if able. PC 1471(c).
4. A limited conservator of the person or of the estate, or both, may be appointed for a developmentally disabled adult. PC 1801(d)
5. A limited conservatorship may be utilized only as necessary to promote and protect the well-being of the individual, shall be designed to encourage the development of maximum self-reliance and independence of the individual, and shall be ordered only to the extent necessitated by the individual's proven mental and adaptive limitations.
6. Standard of proof: clear and convincing evidence. PC1801(e)

7. Proposed conservatee must be assessed within 30 days of petition by the Inland Regional Center. Need report from IRC. PC 1827.5 This report is mailed out by IRC 5 days prior to the hearing to necessary parties.

8. At hearing on petition for appointment of limited conservator, court must do the following:

a. inquire into the nature and extent of the general intellectual function of the individual alleged to be developmentally disabled.

b. evaluate the extent of the impairment of his or her adaptive behavior.

c. ascertain his or her capacity to care for self or property

d. inquire into the qualifications, abilities and capacities of the person seeking appointment as limited conservator

e. if a report by IRC has not been filed in court because the proposed limited conservatee withheld consent to assessment, the court shall determine the reason for withholding the consent. PC 1828.5

9. Petition should be dismissed if the Court finds that the proposed limited conservatee possesses the capacity to care for herself and manage property as a reasonably prudent person.

10. If granted, Court must define the duties and powers for the limited conservator so as to permit the developmentally disabled adult to care for self or manage financial resources commensurate with ability to do so.

11. Prior to appointment of the limited conservator, Court must inform the proposed conservatee:

a. of the nature and purpose of the limited conservatorship proceeding,

b. that the appointment of a limited conservator for his or her person or estate or person and estate will result in the transfer of certain rights set forth in the petition and the effect of such transfer,

c. the identity of the person who has been nominated as his or her limited conservator,

d. that he or she has a right to oppose such proceeding, and

e. that he or she has a right to have the matter tried by jury. PC 1828.5(f).

12. After communicating such information to the person and prior to the appointment of a limited conservator, the court shall consult the person to determine his or her opinion concerning the appointment.

13. Order must specify the following:

a. The properties of the limited conservatee to which the limited conservator is entitled to possession and management, giving a description of the properties that will be sufficient to identify them.

b. The debts, rentals, wages, or other claims due to the limited conservatee which the limited conservator is entitled to collect, or file suit with respect to, if necessary, and thereafter to possess and manage.

c. The contractual or other obligations which the limited conservator may incur on behalf of the limited conservatee.

d. The claims against the limited conservatee which the limited conservator may pay, compromise, or defend, if necessary.

e. Any other powers, limitations, or duties with respect to the care of the limited conservatee or the management of the property specified in this subdivision by the limited conservator which the court shall specifically and expressly grant.
PC 1830(b)

RECOMMENDATION:

Need report from Inland Regional and court-appointed attorney.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 10:00 DEPT: S4

CASE #: SC SS02954

CASE NAME: MTR OF LEANDER COOPER

HEARING:
Petition for Appointment of Conservator

COUNSEL:
LEE ANN COOPER-CARREL (CPE)...PRO/PER
LEANDER COOPER (CEP)...

GENERAL INFORMATION:

This case is set for hearing on Petition for Appointment of Conservator, person and estate,
by daughter

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. **CI report filed 10/3/05 indicates that proposed conservatee died (per board and care).**
2. Petitioner requests bond not be required as income goes directly into bank account(s). However, estimated annual income is \$24,564 and amounts still in possession of the St. Louis, Missouri Public administrator is \$36,384. Thus, bond should be fixed at \$61,000. Alternatively, court may wish to require minimum bond of \$20,000 with the amounts over \$20,000 be placed in a blocked account. JTD
3. Petitioner seeks medical and dementia powers. Medical capacity declaration is filed supporting requests.
4. As dementia powers are sought, court must appoint counsel for proposed conservatee Pr.C. §1471.
5. Petitioner requests further powers to include authority to withdraw funds held by the Public Administrator, St. Louis, MO. Court may wish to inquire whether the conservatorship previously held over proposed conservatee in St. Louis, Missouri is being terminated.

6. Need Court Investigator's report.
7. Need to file Notice of Hearing and proof of service.
8. Need return of Citation.

RECOMMENDATION:

Confirm death of proposed conservatee and dismiss petition accordingly (no temporary letters/orders ever issued and therefore no accounting or any other further acts are required).

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN ACCOUNTINGS

DATE: 10/14/05 TIME: 10:01 DEPT: S4

CASE #: SC SS02327

CASE NAME: MTR OF BOBBY HERNANDEZ

HEARING:
Accounting Review

COUNSEL:

| | |
|--------------------|---------------------------------|
| MARY HERNANDEZ | (CPE)...PRO/PER |
| BOBBY HERNANDEZ | (CEP)...HARTNELL LISTER & MOORE |
| LAWRENCE A DEAN II | (CE)... |

GENERAL INFORMATION: This matter is set for accounting review re accounting by prior conservator Mary Hernandez for failing to file inventory and appraisal and accounting.
Continued from 7/15/05. No accounting filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Matter was heard on 4/29/05 on OSC re: suspension/sanctions and removal. Former conservator Mary Hernandez appeared and court therefore did not issue citation. Court noted that counsel will work with former conservator to prepare accounting. Nothing new filed.

RECOMMENDATION:

Inquire re status. Court may wish to set sanctions hearing for repeated failure to file accounting or I&A.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN **MISC. 11:00**

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SC SS02546

CASE NAME: MTR OF RAYMOND ESPINOZA

HEARING:
Accounting Review

COUNSEL:
DEANA MULLICAN (CPE)...BRYAN C. HARTNELL
RAYMOND ESPINOZA (CEP)...JAMES B CHURCH

GENERAL INFORMATION:
This case is set for hearing on accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Conservatorship granted after trial 8/26/04 and this review date set.
2. No accounting has been filed. Need same.
3. Leave to sell conservatee's residence was granted and it appears that the residence has been sold.

RECOMMENDATION:
Court may wish to order accounting filed within 60 days, set OSC re same, and notice conservator and counsel. Failure to file the accounting as ordered or within 45 days of receipt of notice, whichever is longer, shall constitute a contempt. Pr.C. 2620.2

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SC SS02605

CASE NAME: MTTR OF ROBERT V GOMILLION

HEARING:
Accounting Review

COUNSEL:
STEPHANIE D CONTRERAS (CPE)...HARTNELL LISTER & MOORE
ROBERT V GOMILLION (CEP)...
BOND SERVICES OF CALIFORNIA, L(TP)...PRO/PER

GENERAL INFORMATION:

This case is set for hearing on accounting review.

Letters of conservatorship, person and estate, issued 5/21/04 (\$60,000 bond).

Estate value \$58,770 per petition.

Continued from 6/10/05 to obtain signature on accounting. Nothing new filed.

Continued from 7/22/05. No appearance. Clerk mailed notice.

THE FOLLOWING ISSUES/DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1. Conservatorship granted 4/9/04 and 6/10/05 accounting review date set.
2. Accounting not filed.

RECOMMENDATION:

Court may wish to order accounting filed within 60 days, set OSC re same, and notice conservator and counsel. Failure to file the accounting as ordered or within 45 days of receipt of notice, whichever is longer, shall constitute a contempt. Pr.C. 2620.2

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SC SS02622

CASE NAME: MTTR OF BARBARA LOUISE JAMESON

HEARING:

Hearing re: INVENTORY AND APPRAISAL

COUNSEL:

MELODIE Z SCOTT (CPE)...HARTNELL HORSPOOL & FOX
BARBARA LOUISE JAMESON (CEP)...DONNA LEE STURGILL DIAZ
STEPHANIE TITUS BOOTH (CPE)...SKORETZ & CHURCH
BRYAN C HARTNELL (CPE)...E. JOAN NELMS
PATRICIA L GRAY (TP)...JAMES
JOHN F HANSCOM (PRO/PER)...PRO/PER

GENERAL INFORMATION:

This case is set for hearing re filing Inventory & Appraisal
Letters of Conservatorship issued 2/4/05.

Continued from 8/12/05. Attorneys and parties present. No I&A filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Supplemental Inventory & Appraisal is filed. However, only copy of bank statement provided. Need original bank statement(s) per Pr.C. §2620.2. Statement must also be for balance(s) as of the date of appointment, 2/4/05. Balance provided is as of 4/7/04.
2. There is also a Notice of Opening a Conservatorship Account at Community Bank on 7/7/05. This account has not yet been inventoried. Will an additional supplemental inventory be field?
3. Temporary letters were previously issued to Melodie Scott on 4/7/04. General conservator was appointed on 2/4/05. Court may wish to set an accounting review for the temporary conservator for the period 4/7/04 – 2/4/05.
4. Since 8/12/05 continuance, Court has granted a petition for instructions for order authorizing partial attorney fees.

RECOMMENDATION:

Find out status. Court may wish to set accounting review for the period 4/7/04-2/4/05 the period of the temporary conservator for 90 days. Accounting to be filed 30 days in advance.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SC SS02674

CASE NAME: MATTER OF ULYSSES GUILLEBEAU

**VACATED – ORDER AND LETTERS WERE FOR CONSERVATORSHIP OF PERSON
ONLY**

HEARING:
Accounting Review

| | |
|---------------------|-----------------------------|
| | COUNSEL: |
| DOROTHY FLAGG | (CP)...GLICKMAN & GLICKMAN |
| ULYSSES GUILLEBEAU | (CTP)... |
| SYLVIA A GUILLEBEAU | (SC)...PRO/PER |

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SC SS02676

CASE NAME: MTR RE MARIAN M CONWAY

HEARING:
Accounting Review

COUNSEL:
JERRY D COLE (CPE)...JOHN M RAGER
MARIAN M CONWAY (CEP)...

GENERAL INFORMATION:
This case is set for hearing re: accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Conservatorship granted 8/13/04, \$160,000 bond, and this review date set.
2. Partial and Final I&As totaling \$372,139.23 have been filed.
3. No accounting filed. Need same.

RECOMMENDATION:

Court may wish to order accounting filed within 60 days, set OSC re same, and notice conservator and counsel. Failure to file the accounting as ordered or within 45 days of receipt of notice, whichever is longer, shall constitute a contempt. Pr.C. 2620.2

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPASS4936

PAGES #A AND 44A ARE SAME CASE – SEE PAGE #A FOR ALL NOTES

CASE NAME: ESTATE OF ERNEST MCGOVERN

HEARING:
Hearing Re: Final Discharge.

COUNSEL:
PUBLIC ADMINISTRATOR (PET)...GRESHAM SAVAGE NOLAN & TILDEN
ERNEST MCGOVERN (DEC)...

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS02150

CONT'D TO 12/9/5

CASE NAME: IN THE ESTATE OF NELL EIKELMAN HANF

HEARING:
OSC re: SUSPENSION OF POWERS/SANCTIONS

| | |
|-------------|-----------------|
| NELL E HANF | COUNSEL: |
| JOHN HANF | (DEC)... |
| | (PET)...PRO/PER |

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS04123

CASE NAME: EST OF WANDA JEAN CLARK

HEARING:
OSC re: Sanctions

COUNSEL:

KATHRYN MARIE CLARK (PET)...AUTON-BECK & NASSAR
WANDA JEAN CLARK (DEC)...
RICHARD WM STRONG (TP)...RICHARD WILLIAM STRONG
SCOTT A HANCOCK (SNYDER, HANCOCK & ASHWORTH)...SNYDER,

H

GENERAL INFORMATION: This matter set for hearing on OSC re sanctions (status report). Letters issued February 9, 2001.
Continued from 4/15/05. Matter reported as settled and continuance granted to allow more time to finalize settlement. Nothing new filed.
Last continued from 7/8/05. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Estate is involved in litigation in Florida and is not in a position to close.
2. Petitioner requesting to continue the matter for an additional 6 months.

RECOMMENDATION:
Inquire re status of finalizing settlement.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS04759

CASE NAME: ESTATE OF ETTA LEWIS

HEARING:
Hearing re Final Discharge

COUNSEL:
RICK FOSTER (PET)...BRUNICK BATTERSBY MCELHANEY &
ETTA LEWIS (DEC)...
STATE OF CALIFORNIA FRANCHISE (TP)...PRO/PER

GENERAL INFORMATION:
This case is set for hearing re final discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Order settling first and final account and for final distribution was entered 10/8/04 and this review date was set.
2. No receipts or final discharge have been filed.

RECOMMENDATION:
Inquire re status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS05154

CASE NAME: ESTATE OF FRANCES L SWANK

HEARING:
Hearing re: FINAL DISCHARGE

| | | |
|-----------------|----------|---------------|
| | COUNSEL: | |
| FLOYD E HINKLE | (PET)... | GUAY P WILSON |
| FRANCES L SWANK | (DEC)... | |
| WILLIAM R SWANK | (OBJ)... | PRO/PER |
| ROBERT TURPIN | (PRO/PER |)...PRO/PER |

GENERAL INFORMATION:

This case is set for hearing on Final Discharge
Attorney Hugh Patty substituted in as counsel for petitioner.
Continued from 8/26/05.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE
NOTED;

1. Order for Final Distribution granted 8/20/04.
2. On 8/24/05, Probate Attorney reject order for final discharge based upon missing receipts and incompleteness/defects in order. Not resubmitted.
3. Need to file Receipts and submit Order for Final Discharge
4. Substitution of Attorney was not signed by Attorney Guay Wilson

RECOMMENDATION:
Find out status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS05205

CASE NAME: ESTATE OF ARTHUR R EMRATH

HEARING:
Hearing re Final Discharge

COUNSEL:
CHRISTY L DONENFELD (PET)...RICHARD G SIMON
ARTHUR R EMRATH (DEC)...

GENERAL INFORMATION:
This case is set for hearing re final discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Order for final distribution granted 10/8/04 and this review date was set.
2. No receipts or final discharge order filed. Need same.
3. Clerk mailed notice.

RECOMMENDATION:
Inquire re status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS05303

CASE NAME: ESTATE OF ELSIE BLAKELY

HEARING:
Accounting Review

COUNSEL:
DONALD SHANS (PET)...JOHN M RAGER
ELSIE BLAKELY (DEC)...
DEPARTMENT OF HEALTH SERVICES (TP)...PRO/PER

GENERAL INFORMATION:

This case is set for hearing re: accounting review.

Continued from 1/14/05. Nothing new filed.

Continued from 3/25/05. Nothing new filed.

Last continued from 7/8/05. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petition for letters testamentary granted 11/7/03, no bond.
2. No accounting filed. Notice of hearing mailed by clerk.

RECOMMENDATION:

Suggest Court set OSC re sanctions and have notice mailed to executor and counsel.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS05324

CASE NAME: EST OF LOIS DELIGHT UTTER

HEARING:
Hearing re Final Discharge

COUNSEL:
DAVID UTTER (PET)...HERB CHAVERS
LOIS DELIGHT UTTER (DEC)...
CHRISTINA SOUZA (TP)...MELISSA E REILLY

GENERAL INFORMATION:

This case is set for hearing on final discharge.

Continued from 9/2/05. No appearances, counsel had contacted Court to request a continuance. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. First and final accounting approved 8/27/04 and this review date was set.
2. Need receipt for David Utter, in trust for benefit of Terra Utter.
3. Need declaration/order re final discharge.

RECOMMENDATION:

Inquire re status.

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS 05368

SEE ALSO #5

CASE NAME: EST OF JAMES J LIPKE

HEARING:

Accounting Review

COUNSEL:

| | |
|------------------|-----------------------------|
| DEBRA A LIPKE | (PET)...PRO/PER |
| JAMES J LIPKE | (DEC)... |
| CINDY M RAZZETTI | (SA)...BRYAN C. HARTNELL |
| LOUIE H ARMENTA | (TP)...DAVID G CURRIE |
| JOHN F WALLACE | (PAUL H LUSBY)...PAUL H LU |

GENERAL INFORMATION:

This case is set for hearing re accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petition for letters of administration by Debra Lipke granted 6/20/03, limited authority, no bond.
2. Final I&A filed 7/16/03 reflecting \$186,900 estate value.
3. At 11/5/04 accounting review hearing, matter was continued on basis that father agreed to sale of residence.
4. 1/12/05 ex parte petition to suspend powers of administrator Debra Lipke was granted, in part for failure to account and in part on basis that administrator wrongfully secured \$130,000 loan on estate real property and misappropriated the proceeds. Letters of special administration issued to Cindy Razzetti. Ex parte petition for amended letters granted 2/15/05.
5. Petition for letters of administration, full authority, by successor Cindy Razzetti granted 4/29/05, \$10,000 bond. Prior administrator ordered to file accounting within 60 days (amended [corrected] order, however, was not entered until 7/8/05 and served by mail upon Debra Lipke thereafter).

6. Current accounting review is for accounting by prior administrator Debra Lipke. No account has been filed. Need account by Debra Lipke.

RECOMMENDATION:

Suggest Court notify prior administrator and counsel of the need to file accounting. Order accounting filed within 60 days.

San Bernardino Superior Court

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS05547

CASE NAME: EST OF KATHLEEN MOBERLY

**VACATED – RECEIPTS AND DECLARATION/ORDER RE FINAL DISCHARGE
SUBMITTED BY COUNSEL AND PROBATE ATTORNEY HAS APPROVED FOR
SIGNATURE**

HEARING:

Hearing Re: Final Discharge.

COUNSEL:

MARMEN LEE RANSOM

(PET)...MIRAU EDWARDS CANNON HARTER &

KATHLEEN MOBERLY

(DEC)...

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS05638

CASE NAME: ESTATE OF PEARL V MCCLELLAN

HEARING:
Hearing re Final Discharge

COUNSEL:
GERALD P MCCLELLAN (PET)...JOHN F RINALDI
PEARL V MCCLELLAN (DEC)...

GENERAL INFORMATION:
This case is set for hearing re final discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Order re final discharge entered 10/8/04.
2. No receipts or declaration/order re final discharge filed.

RECOMMENDATION:
Inquire re status.

Superior Court of Calif, County of San Bernardino

Page: 55

San Bernardino Superior Court

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS05702

CASE NAME: EST OF RUDOLPH STEVEN SANDERS

HEARING:

Accounting Review

COUNSEL:

REBECCA S WIMBS (PET)...RONALD W ASK
RUDOLPH STEVEN SANDERS (DEC)...
TERESA M SANDERS (PET)...CRAIG M PARKER

GENERAL INFORMATION:

This case is set for hearing re: accounting review.

Continued from 4/15/05. Nothing new filed.

Continued from 7/8/05.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters of administration issued 2/13/03.
2. Evidentiary hearing on petition for order directing delivery of personal property was continued from 7/19/05 to 9/20/05, then to 1/4/06..
3. No I&A or accounting filed. Administrator should account to the extent possible pending the property claims.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall compel the account by punishment for contempt. Pr.C. § 11050. Issue a citation and have it personally served for OSC re: Why the Personal Representative should not be punished for contempt.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS05762

CASE NAME: ESTATE OF ANNIE MAE JOHNSON

HEARING:
OSC re: Contempt/Failure to appear

COUNSEL:
MARY ANN SMITH (PET)...VON W ROBINSON
ANNIE MAE JOHNSON (DEC)...
ADVANCE INHERITANCE LLC (TP)...JAMES L LEESTMA

GENERAL INFORMATION:

This case is set for hearing on OSC re contempt/failure to appear by administrator Mary Smith.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petition for letters of administration granted 10/29/04, \$350,000 bond, 5/27/05 I&A date was set..
2. On 5/27/05, no appearance despite mail notice by clerk. Continued to 8/5/05.
3. On 8/5/05, administrator failed to appear despite mailed notice. OSC re contempt/I&A set for 10/14/05. Citation issued to administrator.
4. Need return of citation of administrator.

RECOMMENDATION:

Court may wish to impose sanctions. If citation is returned, Court may wish to suspend or remove administrator.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS05782

CASE NAME: ESTATE OF JAMES COOK

HEARING:
Accounting Review

| | |
|----------------|-------------------------|
| | COUNSEL: |
| JAMES COOK III | (PET)...MARTIN E KELLER |
| JAMES COOK | (DEC)... |

GENERAL INFORMATION:

This case is set for hearing on Accounting Review.

Letters issued 4/9/04, no bond, estate value estimated \$200,000 (real property).

Continued from 6/10/05.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED;

1. I&A hearing was 5/13/05. Inventory & Appraisal is overdue by 6 months. Had been continued several times, no appearance at most recent 5/13/05 and notice was then given by clerk of continued 7/22/05 I&A date. **Supp:** I&A review since continued to 1/13/06 at request of counsel.
2. This is the original accounting review date. However, counsel has repeatedly asked for more time to file I&A and has not done so and now accounting is absent (and no bond). Court may wish to order accounting by certain date, subject to contempt/removal if not filed.

RECOMMENDATION:

Inquire re status. Order accounting filed by date certain.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS05799

CASE NAME: ESTATE OF OLIVER RATLIFF

HEARING:
Hearing re Final Discharge

COUNSEL:
GORMAN BRADLEY JR (PET)...GUAY P WILSON
OLIVER RATLIFF (DEC)...

GENERAL INFORMATION:
This case is set for hearing re final discharge.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Final Distribution Order entered 10/8/04.
2. As part of 8/19/05 ex parte petition to reduce bond, counsel mentioned that the majority of distributions have been made but that discharge cannot yet be entered because there is a small ancillary administration in Kentucky. Court may wish to inquire re timeline for filing of final discharge.

RECOMMENDATION:
Inquire re status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS05808

CASE NAME: EST OF CATHERINE B JENKINS

HEARING:
Hearing re: INVENTORY AND APPRAISAL

COUNSEL:
CATHERINE E JENKINS (PET)...PRO/PER
CATHERINE B JENKINS (DEC)...

GENERAL INFORMATION:
This case is set for hearing re I&A.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Final I&A filed but indicates \$1,500 total estate value (personal property). Court should inquire why estate is being probated for \$1,500? Appears estate could be disposed of summarily (e.g., via collection of small estate by declaration), though there may be some confusion as to estate value because estate value was estimated in petition as \$100,000 personal property. Will bequeathed real property – is there no real property in the estate? Are there any claims held by the estate that would increase its value? Suggest Court inquire re veracity of estate value and need for probate.

RECOMMENDATION:
I&A review is satisfied. Suggest Court set OSC re need for probate in light of small estate.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS05842

CASE NAME: EST OF MABEL MOLLEEN COWAN

HEARING:
Accounting Review

COUNSEL:
ELIZABETH JOYCE SHARROCK (PET)...BRUNICK, MCELHANEY & BECKETT
JONATHAN ANDREW SHARROCK (PET)...BRUNICK, MCELHANEY & BECKETT
MABEL MOLLEEN COWAN (DEC)...
BOB WONG (PET)...BRUNICK BATTERSBY MCELHANEY &

GENERAL INFORMATION:
This case is set for hearing re: accounting review.
Continued from 7/8/05. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters testamentary issued 9/30/04. The original Co-executors resigned on the basis they live in England and petition for letters by new proposed executor was granted.
2. Prior I&A date taken off calendar apparently in error upon filing of partial I&A with lack of bank statements. Need Final I&A and copies of bank/investment statements per Local Rule 908.
3. No accounting filed by original executors.

RECOMMENDATION:
Inquire re status.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS05963

CASE NAME: ESTATE OF WILLIE ANDERSON

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
JERRY L ANDERSON (PET)...PRO/PER
WILLIE ANDERSON (DEC)...

This case is set for hearing on inventory & appraisal.
**Continued from 9/2/05 at the request of executor who represented he was in the
process of retaining counsel. Nothing new filed.**

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Letters testamentary, full authority, granted 2/4/05.
2. Need I&A.

RECOMMENDATION:
Inquire re status.

San Bernardino Superior Court

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS05987

CASE NAME: ESTATE OF HOWARD L SOLOMON

HEARING:
Accounting Review

COUNSEL:
JASON SOLOMON (PET)...CLAYTON R WEED
HOWARD L SOLOMON (DEC)...
CELESTE HOLDEN (TP)...LAW OFFICE OF MITCHELL I ROTH

GENERAL INFORMATION:
This case is set for hearing re accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petition for letters of administration, full authority, granted 8/13/04. No bond.
2. I&A review has been continued multiple times, last heard 7/15/05, no appearances, and continued to 10/21/05.
3. Need I&A (seven months overdue) and accounting.

RECOMMENDATION:

When the personal representative does not file an accounting as required, the court shall compel the account by punishment for contempt. Pr.C. § 11050. Issue a citation and have it personally served for OSC re: Why the Personal Representative should not be punished for contempt.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS05988

CASE NAME: ESTATE OF ROSE M LANGFERMAN

HEARING:
Accounting Review

COUNSEL:
ANN MACEACHERN (PET)...CLAYTON R WEED
ROSE M LANGFERMAN (DEC)...

GENERAL INFORMATION:
This case is set for hearing re accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Petition for letters testamentary, full authority, granted 8/13/04. No bond.
2. Final I&A has been filed reflecting \$358,384.00 estate value. No bank statements were filed as required by Local Rule 908, however. At most recent I&A hearing on 7/15/05, no appearances and matter was continued to 10/21/05.
3. Need completed I&A with bank statements (seven months overdue) and accounting.

RECOMMENDATION:
When the personal representative does not file an accounting as required, the court shall compel the account by punishment for contempt. Pr.C. § 11050. Issue a citation and have it personally served for OSC re: Why the Personal Representative should not be punished for contempt.

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS05999

CASE NAME: MTR OF STEPHEN PRICE JR

VACATED – HEARING RE STATUS REPORT FILED, TO BE HEARD ON 11/10/05

HEARING:
Accounting Review

COUNSEL:
STEPHEN L PRICE SR (PET)...PRO/PER
FAE M HARRIS (PET)...PRO/PER
STEPHEN L PRICE JR (DEC)...

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS06102

CASE NAME: EST OF MARGARITA G VASQUEZ (MASTER)

VACATED – FINAL I&A FILED

HEARING:
Hearing re: Inventory and appraisal

COUNSEL:
JENNIE VASQUEZ BARRON (PET)...JOHN M RAGER
MARGARITA G VASQUEZ (DEC)...

San Bernardino Superior Court

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 11:00 DEPT: S4

CASE #: SPRSS06206

CASE NAME: ESTATE OF DONNA TERESA DEEN

HEARING:

Hearing re: Inventory and appraisal

COUNSEL:

TY DEEN

(PET)...GRESHAM SAVAGE NOLAN & TILDEN

DONNA TERESA DEEN

(DEC)...

GENERAL INFORMATION:

This case is set for hearing re Inventory & Appraisal

Continued from 7/29/05. Nothing new filed.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERWORK ARE NOTED:

1. Letters of Administration issued 1/25/05 (limited authority & \$10,000 bond).
2. Partial #1 Inventory filed 3/3/05. Court may wish to inquire status of final inventory.

RECOMMENDATION:

Find out status of final inventory

Superior Court of Calif, County of San Bernardino

Page: 67

San Bernardino Superior Court

CIVCAL4

PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

MISC. 1:30

DATE: 10/14/05

TIME: 1:30

DEPT: S4

CASE #: SC SS00834

CASE NAME: IN THE MATTER OF WILLIAM VALE MCBRIDE JR

HEARING:

Accounting Review

COUNSEL:

WILLIAM VALE MCBRIDE JR (CEP)...

WILLIAM HENRY HEISLER (CEP)...HARTNELL LISTER & MOORE

GENERAL INFORMATION:

This case is set for hearing re accounting review.

THE FOLLOWING ISSUES AND/OR DEFICIENCIES IN THE PAPERS ARE NOTED:

1. Conservatorship, person and estate, established in 1996.
2. Waiver of fourth account and report of conservator approved 9/12/03 and 10/14/05 review date was set.
3. No accounting/waiver/report filed. Need same.

RECOMMENDATION:

Court may wish to order accounting/report filed within 60 days, set OSC re same, and notice conservator and counsel. Failure to file the accounting as ordered or within 45 days of receipt of notice, whichever is longer, shall constitute a contempt. Pr.C. 2620.2

San Bernardino Superior Court
CIVCAL4
PROBATE/GUARDIANSHIP/CONSERVATORSHIP CALENDAR

HONORABLE JUDGE LARRY W ALLEN

DATE: 10/14/05 TIME: 1:30 DEPT: S4

CASE #: SC SS8854

CASE NAME: IN THE MTTR OF ROBERT L KIRK

VACATED – ACCOUNTING FILED

HEARING:
Accounting Review

| COUNSEL: | |
|-------------------|-----------------------------------|
| ROBERT LEE KIRK | (CEP)...ANNETTE G DE BELLEFEUILLE |
| KENNETH WAKEFIELD | (CPE)...MICHAEL J. MOLLOY |
| JOHN D MICKUS | (CPE)...PRO/PER |
| NORBERT A. KIRK | (OBJ)...PRO/PER |